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Attorneys for Defendant

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION

THE CENTER FOR INVESTIGATIVE
 REPORTING and JENNIFER GOLLAN,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
 LABOR,

Defendant.

) Case No. 18-cv-02414-DMR

) **STIPULATED JOINT REQUEST TO EXTEND**
) **BRIEFING SCHEDULE REGARDING**
) **MOTIONS FOR SUMMARY JUDGMENT;**
) **[PROPOSED] ORDER**

The parties, by and through their undersigned attorneys, hereby stipulate pursuant to Civil Local Rule 6-1(b) and 7-12, subject to the approval of the Court, to extend the schedule regarding the parties' Motions for Summary Judgment. This stipulation is based on the accompanying Declaration of Pamela T. Johann and the following facts:

1. On July 2, 2019, this Court entered an order granting the parties' stipulated request to establish a briefing schedule for cross-motions for summary judgment. Dkt. No. 21. Under this schedule, the last day for Defendant to file Motion for Summary Judgment is August 20, 2019.

2. This order followed the Supreme Court's June 24, 2019 decision in *Food Marketing Institute v. Argus Leader Media*, 139 S. Ct. 2356 (2019). The present case had been stayed pending that decision, which was anticipated potentially to impact the standard for the application of FOIA

1 Exemption 4.

2 3. In the weeks since the briefing schedule was established, Defendant has been in the
3 process of reviewing the *Argus Leader* decision and determining its application to the facts of the
4 current litigation. That process is ongoing.

5 4. For that reason, Defendant has requested, and Plaintiff has agreed, to extend the time for
6 Defendant to file its Motion for Summary Judgment. The parties have agreed to an extension of two
7 weeks, with the possibility of additional time if appropriate following further meet and confer.

8 5. Accordingly, the parties have stipulated to the following revised schedule:

- 9 1. Last day for Defendant to file Motion for Summary Judgment: September 3, 2019,
10 not to exceed 25 pages of text.
- 11 2. Last day for Plaintiffs to file Opposition and Cross Motion for Summary Judgment:
12 October 15, 2019, not to exceed 25 pages of text.
- 13 3. Last Day for Defendant to file Reply and Cross-Opposition: November 5, 2019, not
14 to exceed 20 pages of text.
- 15 4. Last Day for Plaintiff to file Cross-Reply (if necessary): November 26, 2019, not
16 to exceed 20 pages of text.
- 17 5. Hearing: December 10, 2019.

18 The parties jointly request that the Court enter an order revising the schedule accordingly.

19 DATED: August 16, 2019

Respectfully submitted,

20 DAVID L. ANDERSON
United States Attorney

21 /s/ Pamela T. Johann
22 PAMELA T. JOHANN
Assistant United States Attorney

23 Attorneys for Defendant
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1 DATED: August 16, 2019

THE CENTER FOR INVESTIGATIVE
REPORTING

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3 /s/ D. Victoria Baranetsky

D. VICTORIA BARANETSKY

4 Attorneys for Plaintiffs

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6 ATTESTATION

7 I, Pamela T. Johann, hereby attest that I have obtained the concurrence in the filing of this
8 document from D. Victoria Baranetsky.

9
10 /s/ Pamela T. Johann

PAMELA T. JOHANN

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____

HON. DONNA M. RYU
United States Magistrate Judge